IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8445 OF 2005

Ramchandra Vitthal Punjari Petitioner

versus

Abbas Bapu Mhetar & others Respondents

Mr.M.R.Deshpande for petitioner.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 1st February 2006

PC :

1. Heard Shri Deshpande for petitioner. Perused the decree/order passed by Civil Judge, Junior Division, Miraj on 8th April 2004 for mesne profits in favour of the decree holder-first respondent. Considering this decree and the mandate thereof, the objections by the petitioner-judgement debtor to the execution of such a decree have been rightly rejected. The Court below was called upon to go behind the decree and scrutinise the rate at which the mesne profits have been awarded which is clearly impermissible in law. There is no error apparent or perversity disclosed. Petition is devoid of any merit. Hence it is rejected.

(S.C.DHARMADHIKARI, J.)